

6651
DECISION



E. H. ...
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-10335

DATE: June 8, 1978

MATTER OF: Payment for Travel Club Membership Fees

DIGEST:

Purchases of individual travel club memberships in the name of a Federal agency for the exclusive use of named individual employees is approved where the purchases will result in the payment of lower overall transportation costs by the Government.

The San Francisco, California, Office of the Department of Housing and Urban Development Agency, has requested our decision on the legality of using appropriated funds to purchase air travel club memberships for use in the procurement of official travel between points in the Hawaiian Islands. Similar requests have been received orally from other Government agencies.

Travel club cards are issued by Hawaiian Airlines, Inc., and by Aloha Airlines, Inc. There is a one-time charge of \$5 for each membership. Presentation of a validated travel club card entitles the passenger to discount fares which apply during the off-peak hours from 12:01 a.m. to 6:30 a.m., 7 days a week, and from 8:00 p.m. to midnight on all days except Friday and Sunday. The discount fares are approximately 20 percent lower than regular fares, with certain exceptions. The \$5 membership fee can be recouped from the lesser charges paid on one or two trips.

Ordinarily the travel club cards are issued in the name of each individual passenger and remain valid for the life of the member or until termination of the discount fares whichever occurs first. One of the airlines has agreed, however, to the purchase of individual cards in the name of the Federal agency for the exclusive use of each individual employee when travelling on official business.


Section 5946, Title 5, U.S. Code, prohibits the use of appropriated funds for the payment of membership fees or dues of employees of the Government as individuals, except as authorized by specific appropriation, by express terms in a general appropriation, or in connection with employees training under sections 4109

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and 4110 of Title 5. See 52 Comp. Gen. 495 (1973). The prohibition contained in Section 5946 is against the payment of membership fees or dues of employees of the Government as individuals and does not apply so as to prevent a Federal agency as such from becoming a member for the purpose of carrying out the authorized functions of the agency. See 33 Comp. Gen. 126 (1953); 31 Comp. Gen. 398 (1952).

The appropriation for salaries and expenses of the Department of Housing and Urban Development, Public Law 95-119, approved October 4, 1977, 91 Stat. 1073, provides funds for the necessary administrative expenses of carrying out the functions of that Department. Transportation is a necessary function of that Department.

Accordingly, where it is administratively determined that the purchase of travel memberships in the name of the Department, for the exclusive use of named employees, will result in the payment of lower transportation costs by the Department, we will not object to the purchase.


Acting Comptroller General
of the United States